

United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Edward M. Thomas Case Number: 5:03-000243-018

Name of Sentencing Judicial Officer: Honorable Norman A. Mordue, U.S. District Judge

Date of Original Sentence: January 17, 2007

Violation # 1 January 26, 2010

Violation # 2 May 17, 2011

Original Offense: Conspiracy to Engage in a Pattern of Racketeering Activity, 18 U.S.C. §1962(d)

Violation # 1 New Criminal Conduct: Aggravated Unlicensed Operation

Violation # 2 Possession of Illegal Controlled Substances
Failure to Refrain from the use of illegal controlled substances

Original Sentence: Time Served and 4 years supervised release
(reduction of sentence for changed circumstances)

Violation #1 5 months imprisonment and 36 months supervised release to follow

Violation # 2 Reinstated to Supervised Release with a six month curfew



Type of Supervision: Supervised Release Date Supervision Commenced: June 22, 2010

Asst. U.S. Attorney: John Katko Defense Attorney: Lisa Peebles

PETITIONING THE COURT

☒ **To issue a warrant**

☐ **To issue a summons**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. **General Condition: The defendant shall not unlawfully possess a controlled substance.** On April 25, 2011, the U.S. Probation Office conducted a search of Thomas' residence and officers discovered approximately 29 grams of crack cocaine. The evidence was turned over to Syracuse City Police for further investigation. This information is based on search records of the U.S. Probation Office (Grade A Violation)

2. **Standard Condition #7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.** On April 25, 2011, the defendant reported for a random drug test and the instant test showed positive for the use of cocaine. Thomas admitted to using crack cocaine at least three times in the past month. This information is based on records of the U.S. Probation Office and a conversation between the defendant and this officer. (Grade C Violation).

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3. **Standard Condition #7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician:** On April 25, 2011, the U.S. Probation Office conducted a search of Thomas' residence and officers discovered approximately 29 grams of crack cocaine and a scale. The evidence was turned over to Syracuse City Police for further investigation. This information is based on search records of the U.S. Probation Office (Grade C Violation)
4. **Modified condition effective September 30, 2011: Edward Thomas is restricted to his approved residence every day from 11 PM to 4 AM or as directed by the probation officer for a period of six months.** On Sunday February 5, 2012, Thomas was ticketed for allegedly driving approximately 95 miles per hour in a 65 mile per hour zone. The traffic stop, at 10:55 pm, was conducted in the Town of Pembroke, New York, approximately 124 miles away from Thomas' approved residence. This information is based on records from the New York State Police. (Grade C Violation)
5. **Standard Condition # 1: The defendant shall not leave the judicial district without the permission of the court or the probation officer:** On Sunday February 5, 2012, Thomas was stopped by the New York State Police for a traffic infraction in the Town of Pembroke, New York, located in the Western District of New York. Thomas did not have permission from the U.S. Probation Office to leave the judicial district of the Northern District of New York. This information is based on records from the New York State Police. (Grade C Violation)
6. **Standard Condition #2: The defendant shall report to the probation officer as directed:** The offender failed to report to the U.S. Probation Office as directed on February 6, 2012 and February 9, 2012. This information is based on records and the knowledge of the U.S. Probation Office. (Grade C Violation)

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

☐ The conditions of supervision should be modified as follows:

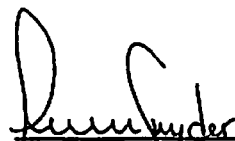
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 13, 2012

Approved by:

by:


Lori Albright
Supervising U.S. Probation Officer

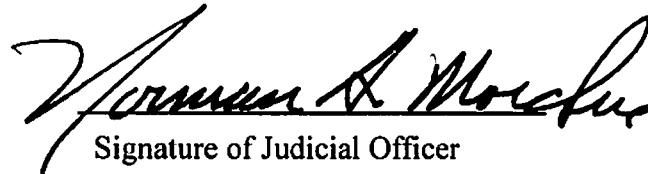

Liana Snyder
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Summons
- ☐ Other

- ☒ **The Issuance of a Warrant.** This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone **EXCEPT** that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.


Signature of Judicial Officer

Date: _____